

TOWN PLANNING BOARD

Minutes of 663rd Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 8.1.2021

Present

Director of Planning
Mr Ivan M.K. Chung

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Dr Venus Y.H. Lun

Mr Y.S. Wong

Chief Traffic Engineer/New Territories East,
Transport Department
Mr Ken K.K. Yip

Chief Engineer (Works), Home Affairs Department
Mr Gavin C.T. Tse

Principal Environmental Protection Officer (Strategic Assessment),
Environmental Protection Department
Mr Stanley C.F. Lau

Assistant Director/Regional 3,
Lands Department
Mr Alan K.L. Lo

Deputy Director of Planning/District
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Mr Ricky W.Y. Yu

Dr Conrad T.C. Wong

In Attendance

Assistant Director of Planning/Board
Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board
Ms W.H. Ho

Town Planner/Town Planning Board
Ms Denise M.S. Ho

Opening Remarks

1. The Chairman said that the meeting would be conducted with video conferencing arrangement.

Agenda Item 1

Confirmation of the Draft Minutes of the 662nd RNTPC Meeting held on 18.12.2020

[Open Meeting]

2. The draft minutes of the 662nd RNTPC meeting held on 18.12.2020 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

3. The Secretary reported that there were no matters arising.

Sai Kung and Islands District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/I-NEL/1

Application for Amendment to the Approved North-East Lantau Outline Zoning Plan No. S/I-NEL/12, To rezone the application site from “Other Specified Uses” annotated “Container Terminal”, “Other Specified Uses” annotated “Container Back-up Area” and “Open Space” to “Other Specified Uses” annotated “Reserved for General Marine Functions Uses”, Chok Ko Wan Lots 4 (Part) & 6 (Part), Lantau Island

(RNTPC Paper No. Y/I-NEL/1)

4. The Secretary reported that the Planning Department (PlanD) had requested the Committee (i) to defer consideration of the application as more time was required for government bureaux/departments to consider the relevant policy/technical issues and public comments, and for PlanD to consolidate the departmental comments and prepare the paper for the Committee’s consideration; and (ii) to refer the application to the full Town Planning Board (the Board) for consideration due to the territorial significance and interests of the application site. The Secretary further said that the applicant was notified on 31.12.2020 of PlanD’s request and that there was no need for him to attend today’s meeting. On 4.1.2021, the applicant sent an email addressing to Members of the Committee and the Secretariat of the Board and expressing his view on PlanD’s request, which was circulated to Members on 6.1.2021. The applicant questioned whether PlanD’s request was procedurally proper in that the deferment was proposed without notifying him in advance and he had no opportunity to provide his views. He also stated that he had submitted further information which was exempted from publication and recounting and had not initiated any deferment request. He questioned whether the deferment request initiated by PlanD was in line with Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33).

5. In response to the applicant's queries, the Secretary explained that according to TPB PG-No. 33, the Board might, under various circumstances and/or upon request of the applicants or PlanD, defer making a decision on the submissions and reschedule the relevant meeting to another date. It was not uncommon for PlanD to request deferment of consideration of applications to allow more time for relevant bureaux/departments to provide comment on the applications. For the subject request, PlanD had provided reasons for the deferment request and the justifications met the criteria for deferment as set out in the TPB PG-No. 33.

6. In response to a Member's question, the Secretary said there was no hard and fast rule on the number of deferment allowed. According to the established practice, deferment of making a decision on an application for a maximum of four times was generally allowed except for columbarium use, for which a maximum of three times would be allowed. However, if the deferment request did not comply with the TPB PG-No. 33, deferment would not be allowed. All deferment requests, no matter they were submitted by the applicant or PlanD, would be considered by the Board under the same set of criteria in accordance with the TPB PG-No. 33. The Chairman supplemented that according to the TPB PG-No. 33, one of the criteria on deferment was no indefinite period for deferment. PlanD's deferment request for two months was in line with the TPB PG-No. 33.

7. In response to another Member's question, the Secretary clarified that the current item was to seek the Committee's agreement for both deferment of consideration of the application and the submission of the application to the full Board for consideration. According to the Town Planning Ordinance (the Ordinance), as any s.12A application should be considered by the Committee within three months, the deferment request was submitted to the Committee for consideration in the subject meeting. Subject to the Committee's agreement, the application would be submitted for the full Board's consideration within two months.

8. In response to the Vice-chairman's questions, the Secretary explained that it was an established practice to refer a s.12A application with territorial significance and interests to the full Board for consideration. Examples included a s.12A application to rezone the Hong Kong Sheng Kung Hui Compound and the surrounding areas for conservation purposes and another s.12A application to rezone the Former Central Government Offices, and the surrounding government buildings for heritage preservation. The application would be

submitted to the full Board for consideration, and there was no need for the applicant to submit a fresh application. The Chairman supplemented that the applicant would be invited to attend the meeting of the full Board and make oral submission according to the provisions of the Ordinance.

9. After deliberation, the Committee decided to defer a decision on the application and refer the application to the full Board for consideration as requested by PlanD. The Committee agreed that the application should be submitted for the full Board's consideration within two months.

Sha Tin, Tai Po and North District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/ST/44 Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/34, To rezone the application site from "Village Type Development" to "Other Specified Uses" annotated "Columbarium(1)", Lots 35, 36 S.A, 36 RP, 38 S.A ss. 1, 38 S.A RP, 624, 676, 699 and 832 (Part) in D.D. 176, Wo Liu Hang Village, Fo Tan, Shatin
(RNTPC Paper No. Y/ST/44A)

10. The Secretary reported that the application was for rezoning the application site for a columbarium development. Grand Step International Ltd. (GSI) was one of the applicants. Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board (PCLB) and his firm having current business dealings with GSI.

11. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung's interest in relation to PCLB was indirect and he had no involvement in the application, the Committee agreed that he could stay in the meeting.

12. The Committee noted that the applicant requested on 29.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

13. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Tuen Mun and Yuen Long West District

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/YL-PN/9

Application for Amendment to the Approved Sheung Pak Nai & Ha Pak Nai Outline Zoning Plan No. S/YL-PN/9, To rezone the application site from "Coastal Protection Area" and an area shown as 'Road' to "Government, Institution or Community", Lot 118 in D.D.135 and Adjoining Government Land, Nim Wan Road, Pak Nai, Yuen Long

(RNTPC Paper No. Y/YL-PN/9C)

14. The Secretary reported that the application was withdrawn by the applicant.

Sai Kung and Islands District

[Ms Jane W.L. Kwan, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-HH/78 Renewal of Planning Approval for Temporary School (Kindergarten) for a Period of 3 Years in “Other Specified Uses” annotated “Residential Cum Marina Development” Zone, Shop D and Yard, Ground Floor, Marina Cove Shopping Centre, Sai Kung
(RNTPC Paper No. A/SK-HH/78)

Presentation and Question Sessions

15. Ms Jane W.L. Kwan, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) renewal of planning approval for temporary school (kindergarten) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary kindergarten could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The application premises fell within an area zoned “Other Specified Uses” annotated

“Residential cum Marina Development” (“OU (Residential cum Marina Development)”) which was for a mixed development of residential, marina and limited commercial retail uses. Approval of the kindergarten within the existing commercial block of Marina Cove development on a temporary basis would not frustrate the planning intention of the “OU(Residential cum Marina Development)” zone. The applied use was not incompatible with the existing uses. Relevant government departments consulted had no objection to or no adverse comment on the application.

16. Members had no question on the application.

Deliberation Session

17. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 27.1.2021 until 26.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the provision of fire service installations within 6 months from the commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.7.2021;
- (b) to implement and maintain the traffic arrangements as proposed by the applicant during the approval period to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) if the above planning condition (a) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (d) if the above planning condition (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

18. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

[The Chairman thanked Ms Jane W.L. Kwan, STP/SKIs, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Sha Tin, Tai Po and North District

[Mr Tim T.Y. Fung and Mr Tony Y.C. Wu, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting]

A/ST/980 Columbarium in "Government, Institution or Community" Zone, No. 221 Pai Tau Village, Sha Tin
(RNTPC Paper No. A/ST/980B)

19. The Secretary reported that the application was for columbarium use. Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board (PCLB).

20. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung's interest in relation to PCLB was indirect, the Committee agreed that he could stay in the meeting.

21. The Committee noted that the applicant's representative requested on 21.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

22. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for preparation of submission of further information, it was the last deferment and no further deferment would be granted.

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MTL/2 Proposed Filling of Pond and Land for Permitted Agricultural Use in
 "Green Belt" Zone, Lot 354 (Part) in D.D. 89, Ho Sheung Heung,
 Sheung Shui
 (RNTPC Paper No. A/NE-MTL/2)

23. The Secretary reported that the application site (the Site) was located in Ho Sheung Heung and Dr H.C. Hau had declared an interest on the item for owning a property in Ho Sheung Heung. As the property of Dr C.H. Hau had no direct view of the Site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

24. Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed filling of pond and land for permitted agricultural use;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, 18 public comments including one from a North District Council Member indicating no comment and 17 from World Wide Fund for Nature Hong Kong (WWF-HK), Kadoorie Farm and Botanic Garden, the Hong Kong Bird Watching Society and Designing Hong Kong Limited, local residents and individuals objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. Whilst agricultural use was always permitted in the “Green Belt” zone, the Director of Agriculture, Fisheries and Conservation did not support the proposed operation as the pond should be reserved for fish culture purpose. Any filling of pond for other usage was not supported. There was insufficient information in the submission to justify the need for the proposed pond/land filling works for agricultural use. The Chief Engineer/Mainland North, Drainage Services Department had reservation on the application as no information was provided to demonstrate that the proposed pond/land filling works would not cause adverse drainage impact and an unacceptable increase in the risk of flooding on the surrounding area. The Director of Environmental Protection also had reservation on the application as there was no submission to demonstrate that the proposed operation would not have adverse water quality impact and other environmental issues arising from the proposed operation that would adversely affect the Ho Sheung Heung Egrettry together with its peripheral secondary woodland and fishponds, which were zoned “Conservation Area” to protect and conserve the ecological value of the egrettry and associated habitat. The application did not comply with Town Planning Board Guidelines No. 10 (TPB PG-No. 10) in that no information had been provided to demonstrate no adverse drainage and environmental impacts on

the surrounding areas. The Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application from landscape planning perspective as there was no information on the treatment of existing trees on the land portion of the application site. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

25. Members had no question on the application.

Deliberation Session

26. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for Application for Development within “Green Belt” (“GB”) zone in that the applicant fails to demonstrate that the filling of pond and land would not cause adverse drainage and environmental impacts on the surrounding area; and
- (b) the approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative impact of approving such similar applications would further reduce the pond area and alter the landscape character of the area.”

Agenda Item 9

Section 16 Application

[Open Meeting]

A/NE-TKL/644 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lots 605 (Part), 628 RP (Part), 629 RP (Part) and 632 in D.D. 77 and Lot 394 RP (Part) in D.D. 84, Ping Che
(RNTPC Paper No. A/NE-TKL/644A)

27. The Committee noted that the applicant requested on 18.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

28. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKLN/35 Proposed Temporary Eating Place and Shop and Services with Ancillary Office/Store Room for a Period of 3 Years in “Village Type Development” Zone, Lot 356 (Part) in D.D. 78, Tsung Yuen Ha, Ta Kwu Ling North
(RNTPC Paper No. A/NE-TKLN/35B)

Presentation and Question Sessions

29. Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary eating place and shop and services with ancillary office/store room for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public comments including one from the Chairman of North District Council objecting to the application, two from a North District Council member indicating no comment and two from an individual raising concerns were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments as set out in paragraph 11 of the Paper. Whilst the planning intention of the “Village Type Development” (“V”) zone was for development of Small Houses by indigenous villagers, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “V” zone. The

application site (the Site) was hard paved and situated in an area of rural inland plains comprising village houses, vegetated areas and some temporary structures. Significant adverse impacts from the proposed development on the surrounding area was not expected. The application was generally in line with the Town Planning Board Guidelines No. 15A. The proposed development, which was to serve the local villagers and visitors in the vicinity on a temporary basis for three years, would not affect the land availability for Small House development. Relevant departments had no objection to or no adverse comment on the application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

30. Members had no question on the application.

Deliberation Session

31. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 9:00 a.m. daily, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (c) in relation to (b) above, the provision of the drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (d) the submission of the design of septic tank and soakaway system and/or other wastewater treatment facilities within 6 months from the date of planning approval to the satisfaction of the Director of Environmental

Protection or of the TPB by 8.7.2021;

- (e) in relation to (d) above, the provision of septic tank and soakaway system and/or other wastewater treatment facilities within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 8.10.2021;
- (f) the submission of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (g) in relation to (f) above, the implementation of the provision of water supplies for fire-fighting and fire service installations within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (h) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (b), (c), (d), (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

32. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/141 Temporary Private Vehicle Park (Private Car and Light Goods Vehicle Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 2338 RP in D.D. 91, Ping Kong, Sheung Shui
(RNTPC Paper No. A/NE-PK/141A)

Presentation and Question Sessions

33. Mr Tony Y.C. Wu, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary private vehicle park (private car and light goods vehicle only) for a period of three years;
- (c) departmental comments – the departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, 12 public comments including one indicating no comment on the application and 11 objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments as set out in paragraph 11 of the Paper. Whilst the planning intention of the “Village Type Development” (“V”) zone was for development of Small Houses by indigenous villagers, approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of “V” zone. The temporary use under application was considered not incompatible with the surrounding rural developments where village houses and temporary

domestic structure were found. Relevant departments had no objection to or no adverse comment on the application. It was considered that the current application could be given sympathetic consideration. Given the previous planning permission were revoked due to non-compliance with approval conditions, shorter compliance periods were recommended with a view to closely monitoring the progress on compliance with approval conditions. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

34. Members had no question on the application.

Deliberation Session

35. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (b) only private car and light goods vehicle not exceeding 3.3 tonnes, as proposed by the applicants, is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the Site to indicate that only private car and light goods vehicle not exceeding 3.3 tonnes, as proposed by the applicants, is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.4.2021;

- (e) in relation to (d) above, the provision of drainage facilities within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (f) the submission of proposals for water supplies for fire-fighting and fire service installations within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.4.2021;
- (g) in relation to (f) above, the implementation of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (h) if any of the above planning condition (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (d), (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

36. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/143 Proposed House (New Territories Exempted House - Small House) in
“Agriculture” Zone, Lot 1511 S.E in D.D. 91, Kai Leng, Sheung Shui
(RNTPC Paper No. A/NE-PK/143)

Presentation and Question Sessions

37. Mr Tony Y.C. Wu, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House - Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments including one individual indicating no comment on the application and two from the Designing Hong Kong Limited and an individual objecting to the application were received. The major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed Small House development was not in line with the planning intention of the “Agriculture” (“AGR”) zone which was intended to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and the Director of Agriculture, Fisheries and Conservation did not support the application from the agriculture point of view as the application site (the Site) possessed high potential for agricultural rehabilitation. However, active agricultural land was mainly over 60m to the west and south of the Site. The area between the Site and the village proper of Kai Leng and active agricultural land were largely vacant, comprising many sites with planning permissions for Small house developments. The proposed Small House was not incompatible with the surrounding rural setting dominated by village houses, temporary domestic structures, active/fallow farmlands. The proposed development complied with the Interim Criteria with more than 50% of the Small House footprint falling within the village ‘environs’ (‘VE’) and there was a general shortage

of land within the “Village Type Development” (“V”) zone to meet the Small House demand. Other government departments had no objection to or adverse comment on the application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

38. Members had no question on the application.

Deliberation Session

39. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 8.1.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and
- (b) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

40. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper.

Agenda Item 13

Section 16 Application

[Open Meeting]

A/NE-TK/680 Proposed Public Utility Installation (Solar Energy System) in “Agriculture” Zone, Lot 637 S.A in D.D. 23, Po Sam Pai Village, Tai Po
(RNTPC Paper No. A/NE-TK/680B)

41. The Committee noted that the applicant requested on 29.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

42. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/694 Proposed Temporary First Aid Post for a Period of Three Years in Area shown as 'Road', Government Land in D.D. 28, Sam Wo Road, Ting Kok, Tai Po
(RNTPC Paper No. A/NE-TK/694)

Presentation and Question Sessions

43. Mr Tony Y.C. Wu, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed temporary first aid post (FAP) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 7 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual raising questions on the application was received. Major views were set out in paragraph 8 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 9 of the Paper. The Secretary for Food and Health (SFH) had given in-principle policy support to the proposal. Whilst the application site (the Site) fell within an area shown as 'Road', the Commissioner for Transport and the Chief Highway Engineer/New Territories East, Highways Department had no objection to or no comment on the application. The Site, which was a popular cycling attraction, was hard-paved and currently occupied for erection of prefabrication units for the proposed FAP use. The proposed FAP was considered not incompatible with its immediate surrounding area which mainly comprised village houses, scattered tree groups and recreational facilities. The Site was the subject of a previously approved application submitted by the same applicant for the same use for a temporary period of three years. However, the planning permission was revoked as approval condition on the implementation of the fire service installations was not complied with. In view of the small scale of the proposed FAP and its temporary nature, it was unlikely to cause any adverse traffic, environmental, landscape, sewerage and drainage impacts on the surrounding areas. Relevant government departments had no objection to or no adverse comment on the application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

44. Members had no question on the application.

Deliberation Session

45. In response to a Member's question, Mr Tony Y.C. Wu, STP/STN, said that there was no information submitted by the applicant for the selection criteria on the location of FAP. However, the Site was located in Tai Mei Tuk which was a popular cycling attraction and there was a need for first aid service. The Chairman supplemented that SFH had given in-principle policy support to the proposal. The same Member asked whether there was a need to incorporate such facility as a requirement in the planning of cycling track. In response, the Chairman said that relevant government departments would be requested to consider such provision in the planning and design of the cycling track with a view to providing better supporting facilities to meet the needs of the cyclists.

46. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no structure shall be erected over the waterworks reserve at the Site and such area shall not be used for storage purposes during the planning approval period;
- (b) the submission of water supplies for fire fighting and fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.4.2024;
- (c) in relation to (b) above, the implementation of water supplies for fire fighting and fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2024;
- (d) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (e) if any of the above planning condition (b) or (c) is not complied with by the

specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

47. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

[The Chairman thanked Mr Tim T.Y. Fung and Mr Tony Y.C. Wu, STPs/STN, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

[Dr Venus Y.H. Lun joined the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

[Mr Patrick M.Y. Fung, Ms Ivy C.W. Wong and Ms Irene W.S. Lai, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

Agenda Item 15

Section 16 Application

[Open Meeting]

A/NE-KTS/492 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Village Type Development” and “Green Belt” Zones, Lots 3335 S.AW, 3335 S.AX, 3335 S.AY ss.1, 3335 S.AZ ss.1, 3335 S.BG ss.1 (Part), 3335 S.BH ss.1 (Part), 3335 S.BI ss.1 (Part), 3335 S.BJ ss.1 (Part), 3335 S.BJ RP (Part), 3335 S.BM ss. 1, 3335 S.BM ss.2, 3335 S.BM ss.3 and 3335 S.BM ss.4 in D.D. 91, Lin Tong Mei, Kwu Tung South
(RNTPC Paper No. A/NE-KTS/492)

48. The Secretary reported that the application site (the Site) was located in Lin Tong Mei, Kwu Tung South. Dr Lawrence K.C. Li had declared an interest on the item for being a member of the Hong Kong Golf Club which was located in the vicinity of the Site. The Committee noted that the applicant had requested deferment of consideration of the

application. As the interest of Dr Lawrence K.C. Li was indirect, the Committee agreed that he could stay in the meeting.

49. The Committee noted that the applicant requested on 31.12.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

50. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/FLN/21	Proposed Underground Public Vehicle Park (excluding container vehicle) in "Open Space" Zone, Lots 2083 (Part), 2085 (Part), 2086 (Part), 2087 (Part), 2088 (Part), 2089 (Part) and 2130 (Part) in D.D. 51, Fanling North (RNTPC Paper No. A/FLN/21D)
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51. The Secretary reported that the application was submitted by Best Galaxy Ltd., which was a subsidiary of Henderson Land Development Co. Ltd. (HLD). Ronald Lu & Partners Ltd. (RLP) was one of the consultants of the applicant. The following Members had declared interests on the item:

- Mr K.K. Cheung - his firm having current business dealings with HDL and RLP;
- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from an Executive Director of HLD before;
- Dr C.H. Hau - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before; and
- Dr Lawrence K.C. Li - being the Deputy Chairman of the Council of the Hong Kong Polytechnic University which and obtained sponsorship from HLD before.

52. As the interests of Mr Peter K.T. Yuen, Dr C.H. Hau and Dr Lawrence K.C. Li were indirect and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

53. Mr Patrick M.Y. Fung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed underground public vehicle park (excluding container vehicle);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of 60 public comments including three from individuals indicating no comments and 57 from concern group, local residents group, the North District Council Member of Ching Ho constituency and individuals objecting to the

application were received. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed underground public vehicle park (PVP) in the “Open Space” (“O”) zone was sandwiched between two “Residential (Group A)1” sites to its immediate west and east (Sites 1 and 2 respectively) for planned private residential developments by the applicant. The applicant admitted that it was his intent to make use of the proposed underground PVP for the early provision of a vehicular access to Site 1 to facilitate an early implementation and completion of the residential development at Site 1, which was landlocked until the completion of the western section of the planned Road L2 under the Kwu Tung North/Fanling North New Development Area (KTN/FLN NDA) Remaining Phase Works scheduled for completion in 2031. Nevertheless, the applicant failed to demonstrate the need for the proposed underground PVP at the application site (the Site). The Commissioner for Transport (C for T) did not support the application from traffic engineering viewpoint as the parking demands for the planned uses within FLN NDA were met by the ancillary parking provisions within individual sites and there was no obvious demand for PVP in FLN NDA. On the understanding that the Site would be resumed by the Government for public open space development, C for T considered that in case a PVP was proposed on government land, its access points were recommended to be via a public road. The proposed access via a private development was not acceptable. The Site was located at the southern strip of the FLN Town Plaza, for which the development scheme and design had not been formulated at the current stage. As such, it was unable to ensure that the underground PVP would be integrated with the future topside open space of the FLN Town Plaza in terms of design. The applicant had not provided detailed layout plan or scheme design showing that the above ground structures could be sensitively integrated with the planned open space at ground level in accordance with the Town Planning Board Guidelines No. 8 (TPB PG-No. 8) for Underground Development of Commercial/Car

Parking Facilities beneath Open Space, Government, Institution or Community Zones and Road. The applicant had not yet obtained approval of the in-situ land exchange application from the Lands Department (LandsD) for Sites 1 and 2. The Chief Estate Surveyor/NDA, LandsD (CES/NDA, LandsD) advised that the application for a land exchange to effect the proposed combined housing and PVP development scheme would not be considered even if planning permission was granted as it failed to fulfil the “General Criteria for Consideration of Lease Modification (including in-situ Land Exchange) Applications in the KTN/FLN NDA” (the General Criteria). Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

54. In response to some Members’ questions regarding the in-situ land exchange mechanism, Mr Patrick M.Y. Fung, STP/FSYLE, said that the Site and the adjoining Sites 1 and 2 were owned by the applicant who was applying for in-situ land exchange for Sites 1 and 2. According to CES/NDA, LandsD, applications for in-situ land exchange would need to fulfil the General Criteria and such applications would only be considered if they were confined to sites planned for private development on the adopted KTN/FLN Outline Development Plans (ODP). While it was the applicant’s intent to make use of the proposed underground PVP to provide vehicular access and facilitate an early implementation of Site 1, the proposed PVP to be constructed under an area zoned “O” was not located at a site planned for private development and could not meet the General Criteria for in-situ land exchange.

Deliberation Session

55. The Chairman said that under the ‘Enhanced Conventional New Town Approach’, the Government would take the lead in the development of the NDA. Private land would be resumed for development according to the planned uses, while flexibility would be provided for private landowners to apply for lease modification including in-situ land exchange to develop their land planned for private development in the NDA subject to the compliance with the General Criteria. In the current application, since the Site zoned “O” would be resumed by the Government for public open space development and not for private

development, it did not meet the General Criteria for land exchange. Members noted the above policy and generally agreed that the application, without demonstrating the genuine need for PVP in FLN NDA and that the Site was suitable for the development of PVP, should be rejected.

56. After deliberation, the Committee decided to reject the application. The reason was :

“the applicant fails to demonstrate that there is a genuine need for the proposed underground Public Vehicle Park (PVP) at the Site, and that the Site is a suitable location for the proposed underground PVP.”

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/294 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 286 RP and 287 RP in D.D. 112, Shek Kong, Yuen Long (RNTPC Paper No. A/YL-SK/294)

Presentation and Question Sessions

57. Mr Patrick M.Y. Fung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of five years and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;

- (d) during the first three weeks of the statutory publication period, 14 public comments including 11 from Sheung Tsuen villagers, Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the planning intention of the “Agriculture” (“AGR”) zone was to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, approval of the application on a temporary basis for a period of five years would not frustrate the long-term planning intention of the “AGR” zone. The proposed temporary hobby farm with two single-storey structures and a total floor area of 108m² was not incompatible with the surrounding environment which was mainly occupied by active/fallow farmland and domestic structures. It was anticipated that the proposed development would not have significant adverse traffic, environmental, drainage and landscape impacts on the surrounding areas. Relevant government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

58. Members had no question on the application.

Deliberation Session

59. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 8.1.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;

- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (c) in relation to (b) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (d) in relation to (c) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (g) if any of the above planning condition (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked without further notice;
- (h) if any of the above planning condition (b), (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (i) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

60. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

Agenda Items 18, 20 and 21

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/678 Proposed Temporary Shop and Services (Retail of Forklift) for a Period of 3 Years in “Agriculture” Zone, Lots 484 (Part), 486 (Part), 487 (Part), 488, 489 (Part), 490 and 1643 (Part) in D.D. 107, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/678D, 688C and 689C)

A/YL-KTN/688 Proposed Temporary Shop and Services (Retail of Construction Materials) for a Period of 3 Years in “Agriculture” Zone, Lot 1648 in D.D. 107, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/678D, 688C and 689C)

A/YL-KTN/689 Proposed Temporary Shop and Services (Sale of Truck Mounted Crane and Miniature Excavator) for a Period of 3 Years in “Agriculture” Zone, Lots 1640 (Part), 1644 (Part), 1645 S.A (Part), 1645 RP (Part) and 1647 (Part) in D.D.107, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/678D, 688C and 689C)

61. The Committee agreed that as the three applications were similar in nature and the application sites were located in close proximity to one another within the same “Agriculture” (“AGR”) zone, they could be considered together.

62. The Secretary reported that application No. A/YL-KTN/678 was submitted by Harvest Hill Limited (HHL) and Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with HHL. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

63. Ms Ivy C.W. Wong, STP/FSYLE, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary shop and services (retail of forklift) for a period of three years for application No. A/YL-KTN/678; the proposed temporary shop and services (retail of construction materials) for a period of three years for application No. A/YL-KTN/688; and the proposed temporary shop and services (sale of truck mounted crane and miniature excavator) for a period of three years for application No. A/YL-KTN/689;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of four public comments for application No. A/YL-KTN/678, ten public comments for application No. A/YL-KTN/688; and nine public comments for application No. A/YL-KTN/689 from Hong Kong Bird Watching Society, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, World Wildlife Fund for Nature Hong Kong (for applications No. A/YL-KTN/688 and 689) and two individuals (one only for application No. A/YL-KTN/688 and 689) objecting to the applications were received. Major views were set out in paragraph 10 of the Paper;
- (e) the Planning Department (PlanD)'s views – PlanD considered that the applications could be tolerated for a period of three years based on the assessments as set out in paragraph 11 of the Paper. Whilst the planning intention of the “Agriculture” (“AGR”) zone was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and the Director of Agriculture, Fisheries and Conservation did not support the applications from agricultural point of view, the proposed uses were considered not incompatible with the surrounding land uses which were predominated by open storage yards, residential structures/dwellings, warehouses, fallow agricultural land and vacant/unused land. The application sites (the Sites) were located in the

Sha Po brownfield cluster where the Government had shortlisted as having high potential for public housing development. The Civil Engineering and Development Department had commenced an Engineering Feasibility Study to ascertain the potential housing development. Temporary approval of the applications for a period of three years would utilize the land resources pending future long-term development. It was unlikely that the proposed temporary shop and services uses would generate significant adverse traffic and drainage impacts and environmental nuisance to the surrounding area. Relevant government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

64. Members had no question on the applications.

Deliberation Session

65. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 8.1.2024, each on the terms of the applications as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Sites at any time during the

planning approval period;

- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (g) in relation to (f) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (h) in relation to (g) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (k) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning condition (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (m) upon the expiry of the planning permission, the reinstatement of the Sites to

an amenity area to the satisfaction of the Director of Planning or of the TPB.”

66. The Committee also agreed to advise each of the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/679 Proposed Temporary Shop and Services (Selling of Hardware Accessories) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 1674 (Part), 1676 (Part), 1680 (Part), 1681, 1682, 1683 and 1684 in D.D.107, Fung Kat Heung, Yuen Long
(RNTPC Paper No. A/YL-KTN/679D)

67. The Secretary reported that the application was withdrawn by the applicant.

Agenda Item 22

Section 16 Application

[Open Meeting]

A/YL-KTN/722 Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years in “Agriculture” Zone, Lots 207 S.A (Part), 207 S.B (Part) & 218 (Part) in D.D. 110, Tai Kong Po, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/722A)

68. The Committee noted that the applicant’s representative requested on 23.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

69. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information as requested by the applicant, no further deferment would be granted unless under very special circumstances.

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/739 Renewal of Planning Approval for Temporary Animal Boarding
Establishment for a Period of 3 Years in "Agriculture" Zone, Lot 4
(Part) in D.D. 110, Tai Kong Po, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTN/739)

Presentation and Question Sessions

70. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary animal boarding establishment for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;

- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the planning assessments as set out in paragraph 12 of the Paper. Temporary approval of the application would not frustrate the long-term planning intention of the “AGR” zone. The applied use was generally in line with the Town Planning Board Guidelines No. 34C. Relevant government departments had no objection to or no adverse comment on the application.

71. Members had no question on the application.

Deliberation Session

72. A Member opined that as raising pets had become more popular in Hong Kong and the number of applications for animal boarding establishment had increased in recent years, there might be a need for the Government to review relevant policies and planning standards to facilitate the provision of animal boarding facilities in a more coordinated manner. In response, the Chairman said that the matter was under the purview of the Agriculture, Fisheries and Conservation Department (AFCD). Members' views on the animal boarding facilities would be conveyed to AFCD for consideration. Should there be relevant policy on such facilities, PlanD would help facilitate from the land use planning perspective as appropriate.

73. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 27.1.2021 to 26.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00pm and 10:00am (except overnight animal boarding), as proposed by the applicant, is allowed on the Site during the planning approval period;

- (b) no operation on Wednesdays (except overnight animal boarding), as proposed by the applicant, is allowed on the Site at all times during the planning approval period;
- (c) all animals shall be kept inside the enclosed structures on the Site between 6:00 p.m. and 10:00 a.m., as proposed by the applicant, at all times during the planning approval period;
- (d) no public announcement system, portable loudspeaker, any form of audio amplification system, or whistle blowing is allowed to be used on the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) existing trees and landscape plantings at the Site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a record of the existing drainage facilities on the Site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 27.4.2021;
- (i) the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period;
- (j) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without

further notice;

- (k) if the above planning condition (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

74. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

Agenda Item 24

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/740 Proposed Temporary Animal Boarding Establishment for a Period of 3 Years in “Agriculture” Zone, Lot 64 RP in D.D. 110, Kam Tin North, Yuen Long
(RNTPC Paper No. A/YL-KTN/740)

Presentation and Question Sessions

75. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;

- (d) during the first three weeks of the statutory publication period, five public comments from Hong Kong Bird Watching Society, Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited, a local villager and an individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the proposed temporary animal boarding establishment for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural point of view, approval of the application on a temporary basis for a period of three years would not jeopardize the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding area which was rural in character intermixed with residential structures/dwellings, cultivated agricultural land and vacant/unused land. Relevant government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

76. Members had no question on the application.

Deliberation Session

77. A Member said that while more planning applications for animal boarding establishment had been approved in recent years, most of them were located in the New Territories and there was a lack of such facilities in the urban area. The Government might consider formulating suitable planning standard for the provision of animal boarding facilities to cater for the increasing demand in the whole territory. Another Member said that the Agriculture, Fisheries and Conservation Department (AFCD) might consider recommending suitable locations for such facilities. In response, the Chairman said that Members' views on the provision of animal boarding facilities were noted and would be conveyed to AFCD as

appropriate.

78. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 10:00 a.m. (except overnight animal boarding), as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays (except overnight animal boarding), as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) all animals shall be kept inside the enclosed animal boarding establishment on the Site between 6:00 p.m. and 10:00 a.m., as proposed by the applicant, at all times during the planning approval period;
- (d) no public announcement system, portable loudspeaker, any form of audio amplification system, or whistle blowing is allowed to be used on the Site at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from

the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;

- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning condition (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

79. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

Agenda Item 25

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/868 Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years in “Agriculture” Zone, Lots 706 (Part), 711 (Part), 712 (Part), 713 RP (Part), 716 (Part), 717 (Part) and 718 S.A (Part) in D.D.113 and Adjoining Government Land, Ma On Kong, Kam Tin, Yuen Long

(RNTPC Paper No. A/YL-KTS/868)

Presentation and Question Sessions

80. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment (dog kennel) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments from World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and an individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application from the agricultural point of view, it was considered that approval of the application on a temporary basis for a period of three years would not jeopardize the long-term planning intention of the “AGR” zone. The proposed development was considered not incompatible with the surrounding area which was rural in character intermixed with residential structures/dwellings, pigsty, cultivated agricultural land and vacant land. Whilst the Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L) raised concern that approval of the application might set an undesirable precedent for similar applications, she considered that the proposed development was not entirely incompatible with the surrounding landscape character of the area. Relevant government departments had no objection to or no adverse comment on the application. Regarding the

adverse public comments received, the comments of government departments and planning assessments above were relevant.

81. Members had no question on the application.

Deliberation Session

82. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) all animals shall be kept inside the enclosed structures on the Site, as proposed by the applicant, at all times during the planning approval period;
- (c) no public announcement system, portable loudspeaker, any form of amplification system, or whistle blowing is allowed to be used on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (f) in relation to (e) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;

- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (i) if any of the above planning condition (a), (b), (c), (d) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

83. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

Agenda Item 26

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/863 Proposed Temporary Wholesale Trade for a Period of 5 Years in “Open Storage” Zone, Lots 2157 (Part), 2962 S.B (Part), 2963 S.B RP, 2964 S.B RP (Part), 2965 S.B (Part) and 2966 (Part) in D.D. 111, Lot 337 (Part) in D.D. 114 and Adjoining Government Land, Kam Tin Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/863)

Presentation and Question Sessions

84. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary wholesale trade for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from a Yuen Long District Council Member and an individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for a period of five years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed wholesale trade use was not entirely in line with the planning intention of the “Open Storage” (“OS”) zone, it was not incompatible with the intended uses in the zone. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “OS” zone. The proposed development was not incompatible with the surrounding area which was rural in character intermixed with open storage yards, warehouse, workshop, residential structures/dwellings, vacant/unused land and film studio. Relevant government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

85. In response to a Member’s question, Ms Ivy C.W. Wong, STP/FSYLE, said that there was no information in the submission regarding the building height of about 11m for the existing structures. However, the applicant indicated that the site would be used for operation of a wholesale trade (packaged drinks) business for the nearby retailers.

Deliberation Session

86. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 8.1.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (c) in relation to (b) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (d) in relation to (c) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (g) if any of the above planning condition (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (b), (c), (e) or (f) is not complied

with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

87. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

Agenda Item 27

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/865 Temporary Open Storage (Private Car and Vans Prior to Sale) for a Period of 3 Years in “Agriculture” Zone, Lot 1479 S.B in D.D. 111 and adjacent Government Land, Leung Uk Tsuen, Kam Tin Road, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/865)

Presentation and Question Sessions

88. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage (private car and vans prior to sale) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the

temporary open storage could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application, it was considered that approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. The proposed development was considered not incompatible with the surrounding land uses which were rural in character inter-mixed with open storage/storage yards, residential structures/dwellings and vacant/unused land. The applied use was generally in line with the Town Planning Board Guidelines No. 13F. Relevant government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

89. Members had no question on the application.

Deliberation Session

90. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;

- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of a run-in/out proposal at Kam Tin Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 8.7.2021;
- (g) in relation to (f) above, the implementation of the run-in/out proposal at Kam Tin Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the TPB by 8.10.2021;
- (h) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (i) in relation to (h) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (j) in relation to (i) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (k) the provision of fire extinguisher(s) with a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2021;
- (l) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 8.7.2021;

- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (n) if any of the above planning condition (a), (b), (c), (d), (e) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (o) if any of the above planning condition (f), (g), (h), (i), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (p) upon the expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

91. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper.

Agenda Item 28

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/866 Renewal of Planning Approval for Temporary Open Storage of Porcelain Products/Sanitary Utensils for a Period of 3 Years in “Agriculture” Zone, Lots 20 (Part), 21, 22 (Part), 23 (Part), 24 (Part), 25 (Part), 27 S.A (Part), 42 (Part) and 43 (Part) in D.D. 108 and Adjoining Government Land, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/866)

Presentation and Question Sessions

92. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary open storage of porcelain products/sanitary utensils for a period of three years;
- (c) departmental comments – departmental comment were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the application could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Approval of the application would not frustrate the long-term planning intention of the “Agriculture” zone. The applied use was generally in line with the Town Planning Board Guidelines No. 13F and No. 34C. The Director of Environmental Protection did not support the application as sensitive receivers were found in the vicinity of the Site. To address the possible environmental nuisance, appropriate approval conditions were recommended. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

93. Members had no question on the application.

Deliberation Session

94. After deliberation, the Committee decided to approve the application on a

temporary basis for a period of 3 years and be renewed from 21.1.2021 to 20.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no dismantling, maintenance, repairing, cleansing, paint spraying and other workshop activities shall be carried out on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing trees and landscape planting on the Site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a record of the existing drainage facilities on the Site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 21.4.2021;
- (h) the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times during the planning approval period;
- (i) if any of the above planning condition (a), (b), (c), (d), (e), (f) or (h) is not complied with during the planning approval period, the approval hereby

given shall cease to have effect and shall be revoked immediately without further notice;

- (j) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

95. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 29

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/867 Proposed Temporary Shop and Services (Bicycle goods shop and convenience store) for a Period of 3 Years in “Village Type Development” Zone, Lots 749 S.C and 750 S.B RP (Part) in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/867)

Presentation and Question Sessions

96. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary shop and services (bicycle goods shop and convenience store) for a period of three years;
- (c) departmental comments – departmental comments were set out in

paragraph 9 of the Paper;

- (d) during the first three weeks of the statutory publication period, two public comments from individuals objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for a period of three years based on the planning assessments as set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the District Lands Officer, Yuen Long, Lands Department (DLO/YL, LandsD) advised that there was currently no Small House application approved or under processing at the Site. Temporary approval of the application would not frustrate the long-term planning intention of the “V” zone. The proposed development was considered not incompatible with the surrounding area which was rural in character intermixed with residential dwellings/structures and vacant/unused land. According to the applicant, the proposed development was intended to serve the nearby residents. It was unlikely that the proposed temporary shop and services use would generate significant adverse traffic and drainage impacts and environmental nuisance to the surrounding area. Relevant departments had no adverse comment on the application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

97. Members had no question on the application.

Deliberation Session

98. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is

allowed on the Site during the planning approval period;

- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (e) in relation to (d) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (h) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

99. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 30

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/868 Proposed Temporary Container Vehicle Repair Yard, Vehicle Showroom and Warehouse with Ancillary Office for a Period of 3 Years in “Open Storage” Zone, Lots 185 S.B ss.2 (Part), 199 A.B (Part), 199 C.D RP, 200 A RP, 201 RP (Part), and 202 RP (Part) in D.D. 111, Pat Heung, Yuen Long
(RNTPC Paper No. A/YL-PH/868)

Presentation and Question Sessions

100. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary container vehicle repair yard, vehicle showroom and warehouse with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments from a Yuen Long District Council Member and individuals objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD has no objection to the application for a period of three years based on the assessments set out in paragraph 12 of the Paper. Whilst the proposed container vehicle repair yard and vehicle showroom was not entirely in line with the planning

intention of the “Open Storage” (“OS”) zone, they were not incompatible with the intended uses in the zone. Approval of the application on a temporary basis for a period of three years would not frustrate the long-term planning intention of the “OS” zone. The proposed development was considered not incompatible with the surrounding land uses, which was rural in character intermixed with open storage/storage yards, residential structures/dwellings and vacant/unused land. The site fell within Category 1 areas under the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F). The application generally complied with the TPB PG-No. 13F in that relevant government departments consulted had no objection to or no adverse comment on the application, except the Director of Environmental Protection (DEP). DEP did not support the application as there were sensitive receivers and the proposed use involved the use of heavy vehicles whereby environmental nuisance was expected. Nevertheless, the application site (the Site) was near Fan Kam Road and vehicles entering/exiting the Site did not need to pass by residential structure/dwellings. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

101. Members had no question on the application.

Deliberation Session

102. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;

- (c) in relation to (b) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (d) in relation to (c) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (g) if any of the above planning condition (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (b), (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

103. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper.

Agenda Item 31

Section 16 Application

[Open Meeting]

A/YL-MP/301 Proposed Temporary Car Testing Centre and Shop and Services for a Period of 3 Years in “Commercial/Residential” Zone, Lot 3250 S.B. s.s.45 (Part) in D.D. 104, Mai Po, Yuen Long
(RNTPC Paper No. A/YL-MP/301)

104. The Secretary reported that the application site was located in Mai Po. Mr K.W. Leung had declared an interest on the item for owning a property in Fairview Park, Mai Po. As the property of Mr K.W. Leung had no direct view of the application site, the Committee agreed that he could stay in the meeting.

105. The Committee noted that the applicant requested on 31.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

106. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 32

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NTM/403 Proposed House in “Green Belt” Zone, Lot 864 (Part) in D.D. 105,
Ngau Tam Mei, Yuen Long
(RNTPC Paper No. A/YL-NTM/403A)

Presentation and Question Sessions

107. Ms Irene W.S. Lai, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public comments with two comments from the San Tin Rural Committee and a Yuen Long District Council Member supporting the application and three comments from Hong Kong Bird Watching Society, Kadoorie Farm & Botanic Garden Corporation and an individual objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone and the applicant had not provided strong justification to warrant a departure from the planning intention. The applicant claimed that a number of structures had been existing and used for chicken shed and domestic purpose at the application site (the Site) before the gazetting of the Ngau Tam Mei Interim Development Permission Area

(NTM IDPA) Plan in 1990, and the gross floor area (GFA) of the proposed house was the same as that of the structure existed before 1990. However, according to the Lands Department (LandsD), the proposed domestic GFA was much greater than that of the surveyed domestic squatters. LandsD also pointed out that the squatters were unauthorized structures but were tolerated to remain on a temporary basis. Since there was a material change of use and the applicant had no building entitlement at the Site, there were no exceptional circumstances to justify the proposed development. The Chief Town Planner/Urban Design and Landscape, PlanD was of the view that although significant adverse impact on the landscape resource within and near the Site was not anticipated, approval of the application would encourage similar use, and the cumulative impact of such approval would further alter and degrade the landscape character of the undisturbed area of the “GB” zone. Other concerned departments had no objection to or no adverse comments on the application. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

108. Members had no question on the application.

Deliberation Session

109. A Member raised doubt on whether the discrepancy in the domestic GFA figures between the applicant’s proposal and LandsD’s record was an issue to consider, and noted that the squatters were unauthorized structures. Mr Alan K.L. Lo, Assistant Director/Regional 3, LandsD, pointed out that the two concrete structures currently at the Site did not conform to the Survey Record and LandsD had already taken squatter control enforcement action to delete the survey numbers at the Site. The structures at the Site would be subject to enforcement in accordance with the existing procedure. Member also noted that there was insufficient information provided by the applicant to demonstrate that the structures at the Site were existing buildings under the Outline Zoning Plan.

110. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is intended primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. No strong planning justification has been provided in the submission to justify a departure from the planning intention; and
- (b) the approval of the application will set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

[The Chairman thanked Mr Patrick M.Y. Fung, Ms Ivy C.W. Wong and Ms Irene W.S. Lai, STPs/FSYLE, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Tuen Mun and Yuen Long West District

[Mr Kepler S.Y. Yuen, District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW), and Ms Carol K.L. Kan, Ms Janet K.K. Cheung, Mr Steven Y.H. Siu, Mr Simon P.H. Chan, Mr Alexander W.Y. Mak and Ms Bonnie K.C. Lee, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

Agenda Item 33

[Open Meeting]

Proposed Amendments to the Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/23

(RNTPC Paper No. 1/21)

111. The Secretary reported that the proposed amendments to the approved Yuen

Long Outline Zoning Plan (OZP) included the rezoning of a site donated by Sun Hung Kai Properties Limited (SHK) and another rezoning to take forward the decision of the Committee on a section 12A application (No. Y/YL/11) which was submitted by Winpo Development Ltd., a subsidiary of New World Development Co. Ltd. (NWD). The following Members had declared interests on the item:

- | | | |
|---------------------|---|---|
| Miss Winnie W.M. Ng | - | being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB; |
| Mr K.K. Cheung | - | his firm having current business dealings with SHK and NWD; |
| Dr Conrad T.C. Wong | - | his firm having current business dealings with SHK; |
| Mr Stephen L.H. Liu | - | having past business dealings with SHK and NWD; |
| Dr C.H. Hau | - | being a principal lecture and programme director of the University of Hong Kong (HKU) and K11 Concept Limited of NWD had been sponsoring his student learning projects in HKU since 2009; and |
| Mr Ricky W.Y. Yu | - | being the Director and Chief Executive Officer of Light Be which had received donations from Chow Tai Fook Charity Foundation (related to NWD). |

112. The Committee noted that Dr Conrad T.C. Wong and Mr Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As the interests of Miss Winnie W.M. Ng and Dr C.H. Hau were indirect and Messrs K.K. Cheung and Stephen L.H. Liu had no involvement in the section 12A application, the Committee agreed that they could stay in the meeting.

Presentation and Question sessions

113. With the aid of a PowerPoint presentation, Ms Carol K.L. Kan, STP/TMYLW, presented the proposed amendments as detailed in the Paper and covered the following main

points:

Background

- (a) the Labour and Welfare Bureau (LWB) launched the first phase Special Scheme in September 2013 to encourage non-governmental organisations to provide or increase on their own sites those welfare facilities considered by the Government as being in acute demand. It was also stated in the 2014 Policy Address that the Government would continue to implement the “Youth Hostel Scheme” for meeting the aspirations of some working youths in having their own living space;
- (b) in 2016, SHK announced its donation of a piece of land near the junction of Castle Peak Road – Yuen Long and Yau Tin East Road to the Hong Kong Sheng Kung Hui (SKH) for construction of a social welfare service complex cum youth hostel under the Special Scheme and Youth Hostel Scheme. To facilitate the proposed development, it was proposed to rezone the site from “Government, Institution or Community” (“G/IC”) to “G/IC(6)”;
- (c) other proposed amendments included taking forward the decisions of the Committee on two section 12A applications (No. Y/YL/11 and Y/YL/13), and rezoning two “Comprehensive Development Area” (“CDA”) sites to reflect the existing developments agreed by the Committee in the previous reviews of “CDA” site;

Technical Assessments

- (d) to ascertain the technical feasibility of the proposed social welfare service complex cum youth hostel development, various technical assessments had been conducted by SKH including traffic impact assessment, preliminary environmental review, visual impact assessment, landscape master plan and tree proposal, sewerage impact assessment and drainage impact assessment. It was confirmed that the proposed development would not cause insurmountable problems on traffic, environmental, visual, landscape and

infrastructural capacity aspects;

Proposed Amendments

- (e) Amendment Item A: rezoning of a site (about 1,400m²) currently zoned “G/IC” with a maximum building height (BH) of 8 storeys excluding basement(s) to “G/IC(6)” with ‘Residential Institution (Hostel and Dormitory only)’ as a Column 1 use and a maximum BH of 75mPD to facilitate the proposed social welfare service complex cum youth hostel;
- (f) Amendment Item B: rezoning of a site (about 6,096m²) near the junction of Kung Um Road and Lam Hi Road from “Open Space” (“O”) to “Other Specified Uses” annotated “Art Storage and Public Open Space” (“OU(Art Storage and POS)”) for proposed art storage and public open space use with a maximum gross floor area (GFA) of 12,694m² and a maximum BH of 23mPD, and provision of POS not less than 590m². To rationalize the associated zoning boundaries, a strip of government land along Lam Hi Road and Kung Um Road adjoining the site would also be rezoned from “O” to “OU(Art Storage and POS)”;
- (g) Amendment Item C: rezoning of a site (about 251m²) at Sai Kai Road, Sai Pin Wai from “O” to “Village Type Development” (“V”) to facilitate the development of a Small House. The associated boundary of the “O” zone would also be rationalised;
- (h) Amendments Item D1 to D2 and E1 and E4: rezoning of the “CDA” sites at Yuen Long Kau Hui Road and Kwong Yip Street to reflect the completed developments to “Residential (Group B)2” (“R(B)2”) and “Residential (Group A)5” (“R(A)5”) respectively to reflect the as-built developments. The corner site of about 0.1 ha, adjoining Wang Yip Street South and Kwong Yip Street, was rezoned to “G/IC(1)” under Item E3 to reflect the existing condition of a public toilet and bicycle parking area. Opportunity was also taken to rezone an area of about 0.23 ha adjoining the “CDA” site at Kwong Yip Street currently shown as ‘Nullah’ and ‘Road’ to “O” to reflect the existing condition of a sitting-out area;

G/IC Facilities and Open Space

- (i) based on the Hong Kong Planning Standards and Guidelines (HKPSG) and the planned population, the planned provision for major government, institution and community (GIC) facilities in the Yuen Long area was generally sufficient to meet the requirements of the planned population. Although there were shortfalls in child care centre, community care services facilities and residential care home for the elderly (RCHE), they were subject to relevant departments' requirements. Those facilities would be carefully planned/reviewed by relevant government departments/bureaux and premises-based GIC facilities could be incorporated in future development/redevelopment when opportunities arose. For the provision of public open space in Yuen Long, there was sufficient planned local and district open space provision in the New Town to meet the requirements as stipulated in the HKPSG;

Proposed Amendments to the Notes of the OZP

- (j) corresponding revisions to the Notes were made in respect of the respective zones to specify the development restrictions and to incorporate the revised Master Schedule of Notes;

Consultation

- (k) on 18.11.2020, the Home Affairs Bureau, Social Welfare Department, PlanD and SKH consulted the Housing, Town Planning and Development Committee of Yuen Long District Council (HTPDC of YLDC) on the proposed social welfare service complex cum youth hostel development (Amendment Item A). The proposed development was generally supported by HTPDC members. HTPDC urged all relevant government departments to facilitate the smooth and early implementation of the proposed social welfare service complex cum youth hostel development; and

- (l) on 4.5.2020, the Shap Pat Heung Rural Committee (SPHRC) was consulted on the proposed social welfare service complex cum youth hostel development. SPHRC supported the implementation of the project.

114. In response to the Chairman's enquiry, Mr Kepler S.Y. Yuen, DPO/TMYLW, said that LWB and the Home Affairs Bureau had given policy supports to Amendment Item A.

115. In response to a Member's question, Mr Kepler S.Y. Yuen, DPO/TMYLW said that according to the technical assessments conducted for Amendment Item A, green building design features, as well as the latest building technology such as Modular Integrated Construction (MiC) were proposed to be incorporated in the social welfare service complex cum youth hostel development.

116. In response to a Member's question on the area included in Amendment Item B, Mr Kepler S.Y. Yuen, DPO/TMYLW, said that the rezoning of "O" to "OU (Art Storage and POS)" was mainly to reflect the approved section 12A application with minor adjustment to the northern and eastern boundaries to align with the adjoining zoning boundaries. For the adjacent temporary warehouse and open storage areas as shown on Plan 2b of the Paper, they did not form part of the section 12A application and would be implemented for open space in the long term.

117. After deliberation, the Committee decided to:

- “(a) agree to the proposed amendments to the approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/23 and that the draft Yuen Long OZP No. S/YL/23A at Attachment II of the Paper (to be renumbered as S/YL/24 upon exhibition) and its Notes at Attachment III of the Paper are suitable for exhibition under section 5 of the Town Planning Ordinance (the Ordinance); and
- (b) adopt the revised Explanatory Statement (ES) at Attachment IV of the Paper for the draft Yuen Long OZP No. S/YL/23A as an expression of the planning intentions and objectives of the Town Planning Board (the Board)

for various land use zonings of the OZP and the revised ES will be published together with the OZP.”

118. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Ordinance. Any major revisions would be submitted for the Board’s consideration.

[The Chairman thanked Mr Kepler S.Y. Yuen, DPO/TMYLW, and Ms Carol K.L. Kan, STP/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 34

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM/548 Columbarium (within a Religious Institution) in “Green Belt” Zone, G/F of an Existing Building within Tsing Wan Kun in Lot 559 in D.D. 131, Tuen Mun
(RNTPC Paper No. A/TM/548B)

119. The Secretary reported that one petition letter was submitted right before the meeting raising objection to the application. According to the provisions of the Town Planning Ordinance, as the letter was submitted after the statutory publication period, they should be treated as not having been made.

120. The Secretary reported that the application was for columbarium use. Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board (PCLB). As the interest of Mr K.K. Cheung in relation to PCLB was indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

121. Ms Janet K.K. Cheung, STP/TMYLW, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed columbarium (within a religious institution);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of 7,794 public comments with 295 objecting to the application, two without specifying support or objection and 7,497 supporting the application were received. The 7,497 supporting comments included two from the Tuen Mun Rural Committee (TMRC) Chairman, two from a representative of TMRC and 7,494 from individuals. The 295 objections included four from two Tuen Mun District Council (TMDC) Members, one from a village representative (VR) of Yeung Siu Hang Tsuen, two from the Incorporated Owners of the Richie Houses, four from the Alliance for the Concern Over Columbarium Policy (各界關注骨灰龕法案大聯盟), four from a legal firm representing some members of the TO Clan, one from Designing Hong Kong Limited, one from Hong Chi Morninghill School, 68 from the residents of Lung Mun Oasis, one from a group and 209 from individuals. Major views were set out in paragraph 11 of the Paper ; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments as set out in paragraph 12 of the Paper. The current application involved building conversion of an existing building which was constructed in the 1920s and was not in line with the planning intention of “Green Belt” (“GB”) zone. The subject columbarium use within an existing temple compound was considered not incompatible with the surrounding environment which was mainly rural in character with scattered village houses, and predominated by temples, other religious institutions and approved columbaria. Compared with the previous rejected application at the application site (the Site), the number of

niches had been reduced from 4,884 to 2,574 and confined to the G/F of the existing building. The Commissioner for Transport (C for T) had no objection to the proposed traffic and crowd management measures provided that the proposed traffic arrangement would be implemented by the applicant. The potential traffic impact caused by the columbarium was not significant with the implementation of the proposed traffic and crowd management measures. The Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD) had no objection to the application from the visual and landscape perspectives as it involved only conversion of the existing building and no adverse visual and landscape impacts arising from the columbarium use were envisaged. Besides, burning activity would be prohibited in the application premises. Concerned government departments had no objection to or no adverse comments on the application. Approval of the current application was in line with the Committee's previous decision on an application (No. A/TM/497) in a "GB" zone on the same OZP. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

122. In response to a Member's question on whether the land ownership issue as pointed out by some public comments was an issue to be considered by Members, Ms Janet K.K. Cheung, STP/TMYLW, said the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD) advised that application to LandsD for land exchange or lease modification should be submitted by the registered owner of the Lot should the application be approved. Under such circumstances, the applicant would be required to clarify and prove the legal capacity of the managers of the registered owner.

123. Some Members raised questions on whether the reduction in the number of niches as compared with the previous rejected application at the Site was one consideration for recommending approval of the application. In response, Ms Janet K.K. Cheung, STP/TMYLW, said that the number of niches was reduced from 4,884 in the previous rejected application to 2,574 in the current application. The niches were confined to the G/F of the existing building. Relevant technical assessments as submitted by the applicant revealed that there were no insurmountable impacts induced by the development and the concerned government departments had no adverse comment on the application.

124. Noting that there was an acute demand for niches in the territory, a Member questioned if there was a need to review the technical requirements so as to facilitate approvals for columbarium use. In response, Ms Janet K.K. Cheung, STP/TMYLW, said that according to the Private Columbaria Ordinance, the operator of the private columbarium applying for a licence should comply with the Town Planning Ordinance and other relevant requirements. A traffic and crowd management plan showing that suitable measures on traffic and public transport arrangement would be undertaken to minimize any adverse impact that operation of the columbarium might have on the neighbourhood would also need to be submitted.

Deliberation Session

125. Noting that it was very difficult to identify suitable sites for columbarium development and the relevant technical assessments for the subject application were considered acceptable only after the applicant had reduced the number of niches from 4,884 to 2,574 as compared with the previous rejected application, two Members were of the view that consideration might be given by relevant government departments to adopting a less stringent approach in scrutinizing the technical assessments for columbarium use with a view to addressing the pressing demand for niches in the territory. They were of the view that as the adverse impacts, particularly traffic, generated by columbarium use only covered a short period, the public might not have strong reactions to the temporary adverse traffic impact, which was similar to impacts generated by special events such as Rugby Seven and horse racing. In response, Mr Ken K.K. Yip, Chief Traffic Engineer/New Territories East, Transport Department (TD) said that in view of the pressing demand for niches, TD had already adopted a pragmatic approach to scrutinize the Traffic Impact Assessment Report of columbarium proposals taking into account the fact that traffic peak flow would only occur on Ching Ming and Chung Yeung festivals and their shadow periods (about 20 days within a year).

126. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 8.1.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the maximum number of niches within the Premises should not exceed 2,574 niches; and
- (b) the submission and implementation of fire services installations and water supplies for firefighting proposal to the satisfaction of the Director of Fire Services or of the TPB.”

127. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 35

Section 16 Application

[Open Meeting]

A/TM/557 Shop and Services and Wholesale Trade in “Other Specified Uses” annotated “Business” Zone, Workshop Unit 10A (Part), G/F, Hang Wai Industrial Centre, No. 6 Kin Tai Street, Tuen Mun
(RNTPC Paper No. A/TM/557)

128. The Committee noted that the applicants’ representative requested on 22.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

129. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicants that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special

circumstances.

Agenda Item 36

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1062 Temporary Open Storage of Construction Materials and Recyclable Materials with Ancillary Workshop for a Period of 3 Years in “Undetermined” Zone, Lots 1160 (Part), 1161, 1163 S.B (Part), 1164 RP (Part), 1174 (Part) and 1175 (Part) in D.D. 119, Kung Um Road, Yuen Long
(RNTPC Paper No. A/YL-TYST/1062)

Presentation and Question Sessions

130. Mr Steven Y.H. Siu, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of construction materials and recyclable materials with ancillary workshop for a period of three years
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from the same individual objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary open storage of construction materials and recyclable materials with ancillary workshop could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use

was generally not in conflict with the planning intention of the “Undetermined” (“U”) zone which was intended for open storage use but was designated with the zoning mainly due to concerns of the capacity of Kung Um Road. The Commissioner for Transport, the Chief Engineer/Cross-Boundary Infrastructure and the Project Manager (West), Civil Engineering and Development Department had no objection to or no adverse comment on the applied use for three years. Approval of the application would not jeopardise the long-term development of the area. Although there were residential structures in the vicinity, the proposal was generally not incompatible with the surrounding uses in the subject “U” zone. The application was generally in line with Town Planning Board Guidelines 13F (TPB PG-No. 13F) in that the Site fell within Category 1 areas which were considered suitable for open storage and port back-up use; and the local concerns and technical concerns of relevant government departments could be addressed through the implementation of approval conditions. There was no adverse comment on the application from concerned government departments, except the Director of Environmental Protection (DEP). DEP did not support the application as there were sensitive receivers of residential use in the vicinity of the Site. Relevant approval condition was recommended to minimise any potential environmental nuisances. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

131. Members had no question on the application.

Deliberation Session

132. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 6:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;

- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) except for consolidation, classification, dismantling and packing of recycled materials, no other workshop activities, as proposed by the applicant, are allowed on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) all existing trees within the Site shall be maintained at all times during the planning approval period;
- (f) the existing boundary fencing on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (h) in relation to (g) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (i) in relation to (h) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2021;
- (k) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 8.7.2021;

- (l) in relation to (k) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (m) if any of the above planning condition (a), (b), (c), (d), (e), (f) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning condition (g), (h), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

133. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper.

Agenda Item 37

Section 16 Application

[Open Meeting]

A/YL-TYST/1063 Proposed Temporary Shop and Services for Period of 3 Years in “Residential (Group D)” Zone, Lot 2734 (Part) in D.D. 124, Tan Kwai Tsuen, Yuen Long
(RNTPC Paper No. A/YL-TYST/1063)

134. The Committee noted that the applicant’s representative requested on 30.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

135. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 38

Section 16 Application

[Open Meeting]

A/YL-TT/510 Proposed Houses in "Residential (Group D)" Zone, Lots 4989 RP, 4990 and 4991 in D.D. 116, Shung Ching San Tsuen, Tai Tong, Yuen Long
(RNTPC Paper No. A/YL-TT/510)

136. The Committee noted that the applicant's representative requested on 21.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

137. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 39

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/272 Temporary Recyclable Collection Centre and Open Storage (Metal and Plastic) with Ancillary Office and Plastic Crushing Workshop for a Period of 3 Years in “Government, Institution or Community” Zone and area shown as ‘Road’, Lots 244 (Part), 246 (Part), 250 (Part), 251, 252 (Part), 253, 254 and 255 in D.D. 125, San Wai, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/272)

Presentation and Question Sessions

138. Mr Simon P.H. Chan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary recyclable collection centre and open storage (metal and plastic) with ancillary office and plastic crushing workshop for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals objecting to or raising concerns on the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary recyclable collection centre and open storage (metal and plastic) with ancillary office and plastic crushing workshop could be tolerated for a

period of three years based on the assessments as set out in paragraph 12 of the Paper. Whilst the applied open storage use was not in line with the planning intention of the “Government, Institution and Community” (“G/IC”) zone, the implementation programme for that part of New Development Area (NDA) was still being formulated, and Project Manager/West of Civil Engineering and Development Department had no objection to the temporary use at the Site. Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the Site. The applied use was not incompatible with the surrounding land uses which were predominantly used for open storage yards, warehouses, logistics centre, workshops and vehicle park. In addition, there were no residential dwellings in the surrounding areas. The applied use was generally in line with the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F) in that the Site fell within Hung Shui Kiu/Ha Tsuen NDA and previous planning approval had been given. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

139. Members had no question on the application.

Deliberation Session

140. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 7:00 p.m. to 7:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;

- (c) no burning, melting, washing or cleaning of recycling materials, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from the public road at any time during the planning approval period;
- (e) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (g) in relation to (f) above, the implementation of the revised drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (h) in relation to (g) above, the implemented drainage facilities on Site shall be maintained at all times during the planning approval period;
- (i) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2021;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;

- (l) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning condition (f), (g), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

141. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper.

Agenda Item 40

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/273 Proposed Temporary Warehouse for Storage of Miscellaneous Goods for a Period of 3 Years in “Other Specified Uses” annotated “Logistics Facility” and “Open Space” Zones, Lots 1103 RP (Part), 1104 RP, 1105, 1106 (Part), 1107 (Part), 1131 (Part), 1132 (Part), 1138 (Part), 1139 S.A RP, 1139 RP (Part), 1140 (Part), 1141 RP, 1142, 1143 RP (Part), 1145 (Part), 1146 (Part), 1153 (Part), 1154 RP (Part), 1155 (Part), 1156 (Part) and 1169 RP (Part) in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/273)

Presentation and Question Sessions

142. Mr Simon P.H. Chan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed temporary warehouse for storage of miscellaneous goods for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments from a Yuen Long District Council Member and individuals raising concern on or objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary warehouse for storage of miscellaneous goods could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the development was not in line with the planning intention of the “Open Space” (“O”) zone, the Project Manager/West of Civil Engineering and Development Department and the Director of Leisure and Cultural Services (DLCS) had no objection to the temporary use at the application site (the Site). Approval of the application on a temporary basis of three years would not jeopardize the long-term development of the Site. The applied use was generally not incompatible with the surrounding major land uses including various open storage yards and port back-up facilities. There was no adverse comment from concerned government departments, except the Director of Environmental Protection (DEP). Whilst DEP did not support the application because there were sensitive uses in the vicinity, and environmental nuisance was expected, there were no environmental complaints pertaining to the Site in the past three years. Relevant approval conditions had been recommended to address the concerns on the possible environmental nuisances. There were ten previous planning approvals for various temporary open storage uses at the Site. Approval of the subject application was in line with the Committee's previous decisions. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

143. Members had no question on the application.

Deliberation Session

144. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 8:00 p.m. to 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no repairing, dismantling, assembling or any other workshop activity, as proposed by the applicant, is allowed on the Site at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the landscape planting on the Site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities on Site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.4.2021;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 8.7.2021;

- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (j) if any of the above planning condition (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

145. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

Agenda Item 41

Section 16 Application

[Open Meeting]

A/HSK/275 Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years
in “Residential (Group A) 4” Zone, Lot 2329 RP (Part) in D.D. 124,
Hung Shui Kiu, Yuen Long
(RNTPC Paper No. A/HSK/275)

146. The Committee noted that the applicant’s representative requested on 15.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

147. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 42

Section 16 Application

[Open Meeting]

A/HSK/276 Proposed Temporary Shop and Services (Household Products and Hardware Accessories) with Ancillary Office for a Period of 3 Years in "Village Type Development" Zone, Lots 1804 (Part), 1805 (Part) and 1808 RP (Part) in D.D. 124, San Lee Uk Tsuen, Tin Ha Road, Yuen Long

(RNTPC Paper No. A/HSK/276)

148. The Committee noted that the applicant's representative requested on 18.12.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

149. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special

circumstances.

Agenda Item 43

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/277 Temporary Open Storage of Infrequently Used Construction Materials for a Period of 18 Months in “Residential (Group A) 3” Zone, Lots 1824 S.A RP (Part), 1824 S.B RP (Part) and 1824 S.C (Part) in D.D. 125, Ha Tsuen, Yuen Long
(RNTPC Paper No. A/HSK/277)

150. The Secretary reported that the application was submitted by E Man Construction Co. Ltd. (E Man), which was a subsidiary of Henderson Land Development Co. Ltd (HLD). The following Members had declared interests on the item:

- | | | |
|---------------------|---|---|
| Mr K.K. Cheung | - | his firm having current business dealings with E Man and HLD; |
| Mr Peter K.T. Yuen | - | being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from an Executive Director of HLD before; |
| Dr C.H. Hau | - | being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before; and |
| Dr Lawrence K.C. Li | - | being the Deputy Chairman of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before. |

151. As the interests of Mr Peter K.T. Yuen, Dr C.H. Hau and Dr Lawrence K.C. Li were indirect, and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

152. Mr Simon P.H. Chan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of infrequently used construction materials for a period of 18 months;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals raising concerns on or objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary open storage of infrequently used construction materials could be tolerated for a period of 18 months based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not in line with the planning intention of the “Residential (Group A)3” (“R(A)3”) zone, the implementation programme for that part of New Development Area (NDA) was still being formulated, and Project Manager/West of Civil Engineering and Development Department had no objection to the temporary use of 18 months at the Site. Approval of the application on a temporary basis would not jeopardize the long-term development of the Site. The applied use was not incompatible with the surrounding major land uses which was predominantly occupied by open storage yards and vehicle park uses. The applied use was generally in line with the Town Planning Board Guidelines No. 13F (TPB PG-No. 13F) in that the Site fell within Hung Shui Kiu /Ha Tsuen NDA and previous planning approvals had been given. Concerned government departments had no objection to or no adverse comment on the

application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

153. Members had no question on the application.

Deliberation Session

154. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 18 months until 8.7.2022 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation from 5:00 p.m. to 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing fencing on the Site shall be maintained at all times during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;

- (h) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.2.2021;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (k) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (e), (f), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

155. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper.

Agenda Item 44

Section 16 Application

[Open Meeting]

A/TM-LTY Y/402 Temporary Storage of Vehicle Parts and Accessories for a Period of 3 Years in “Green Belt” Zone, Lot 2407 S.B in D.D. 130, Tsoi Yuen Tsuen, Tat Fuk Road, Nai Wai, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/402A)

156. The Committee noted that the applicant requested on 17.12.2020 deferment of

consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

157. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 45

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/408 Proposed Temporary Shop and Services for a Period of 3 Years in
“Residential (Group D)” and “Village Type Development” Zones, Lot
3040 (Part) in D.D. 124 and Adjoining Government Land, Chung Uk
Tsuen, Tuen Mun
(RNTPC Paper No. A/TM-LTY Y/408)

Presentation and Question Sessions

158. Mr Alexander W.Y. Mak, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed temporary shop and services for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals raising concerns on or objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not entirely in line with the planning intentions of the “Village Type Development” (“V”) and “Residential (Group D)” (“R(D)”) zones, the use could provide real estate services to serve any such demand in the area. Approval of the application on a temporary basis for three years would not jeopardise the long-term planning intention of the zones. The proposed use was considered not incompatible with the surrounding land uses which were predominantly residential dwellings intermixed with warehouses and open storage yards. The proposed use would unlikely create significant adverse traffic, environmental and drainage impacts on the surrounding areas. Relevant government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

159. Members had no question on the application.

Deliberation Session

160. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no vehicle is allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (c) the submission of a drainage proposal within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.4.2021;
- (d) in relation to (c) above, the implementation of the drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (e) in relation to (d) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.4.2021;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (h) the submission of a landscape proposal within 3 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.4.2021;
- (i) in relation to (h) above, the implementation of the landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 8.7.2021;

- (j) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (c), (d), (f), (g), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

161. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 46

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/620 Proposed Temporary Animal Boarding Establishment for a Period of 5 Years in “Government, Institution or Community” Zone, Former Tat Tak Public School, Ping Shan Nam Pak Road, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/620)

Presentation and Question Sessions

162. Mr Alexander W.Y. Mak, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary animal boarding establishment for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;

- (d) during the first three weeks of the statutory publication period, 192 public comments including 190 supporting the application, one raising objection and the remaining one expressing views were received. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for a period of five years based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not entirely in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone, there was no designated use and no known programme for long-term use of the application site (the Site). The proposed development was in line with the government policy of promoting animal adoption and the Agriculture, Fisheries and Conservation Department (AFCD)'s rehoming scheme. The Secretary for Food and Health (SFH) supported the application and confirmed that policy support had been granted to the applicant, which was a non-governmental organisation (NGO), for a short term tenancy (STT) application for the proposed development at the Site. Approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “G/IC” zone. The proposed development was considered not incompatible with developments in the surrounding areas. The Site was one of the vacant school premises (VSP) sites currently under the management of the Lands Department (LandsD) for community, institutional or non-profit making purposes on short-term basis. The proposed development was in line with the Government's intention to optimise land resources by utilising VSP sites. The application complied with Town Planning Board Guidelines No. 16 in that all government departments consulted had no plan or program to provide any GIC facilities at the Site. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

163. In response to a Member's question, Mr Alexander W.Y. Mak, STP/TMYLW,

said that the applicant was a charitable institution approved under s.88 of the Inland Revenue Ordinance.

Deliberation Session

164. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 8.1.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 10:00 a.m. (except for overnight animal boarding), as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) all animals shall be kept inside the enclosed animal boarding establishment on the Site between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, during the planning approval period;
- (c) no public announcement system or whistle blowing is allowed to be used on the Site, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the existing tree planting within the Site shall be maintained in good condition at all times during the planning approval period;
- (f) the provision of the accepted environmental mitigation measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 8.10.2021;
- (g) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or

of the TPB by 8.7.2021;

- (h) in relation to (g) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (i) in relation to (h) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) the submission of a sewerage impact assessment within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection and Director of Drainage Services or of the TPB by 8.7.2021;
- (k) in relation to (j) above, the implementation of the mitigation measures identified in the sewerage impact assessment within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection and Director of Drainage Services or of the TPB by 8.10.2021;
- (l) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (m) in relation to (l) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (n) if any of the above planning condition (a), (b), (c), (d), (e) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (o) if any of the above planning condition (f), (g), (h), (j), (k), (l) or (m) is not complied with by the specified date, the approval hereby given shall cease

to have effect and shall on the same date be revoked without further notice.”

165. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

Agenda Items 47 and 48

Section 16 Applications

[Open Meeting]

A/YL-PS/622 Proposed Temporary Transitional Housing and Ancillary Use for a Period of 3 Years in “Other Specified Uses” annotated “Heritage and Cultural Tourism Related Uses” and “Village Type Development” Zones, Lots 387 S.B ss.1 RP, 387 S.B ss.4 and 387 S.B RP in D.D. 122 and adjoining Government land, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/622 and 623)

A/YL-PS/623 Proposed Temporary Residential Institution (Transitional Housing) for a Period of 7 Years in “Village Type Development” Zone, Lots 360 and 377 in D.D. 122 and adjoining Government land, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/622 and 623)

166. The Secretary reported that the applications were submitted by Light Be (Tin Shui Wai Social Housing) Co. Ltd (Light Be) and LWK & Partners Architects Limited (LWK) was one of the consultants of the applicant. The following Members had declared interests on the items:

- | | | |
|------------------|---|--|
| Mr Ricky W.Y. Yu | - | being the Director and Chief Executive Officer of Light Be and his firm having current business dealings with LWK; and |
| Mr K.K. Cheung | - | his firm having current business dealings with LWK. |

167. The Committee noted Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting. As Mr K.K. Cheung had no involvement in the applications, the Committee agreed that he could stay in the meeting.

168. The Committee noted that the applicant's representative requested on 23.12.2020 deferment of consideration of the applications for two months so as to allow time to prepare further information to address departmental and public comments. It was the first time that the applicant requested deferment of the applications.

169. After deliberation, the Committee decided to defer a decision on the applications as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the applications should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the applications could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 49

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/624 Temporary Shop and Wholesale of Construction Materials for a Period of 3 Years in "Government, Institution or Community" and "Village Type Development" Zones, Lots 256 (Part), 258 RP (Part) and 259 in D.D.122, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/624)

Presentation and Question Sessions

170. Mr Alexander W.Y. Mak, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary shop and wholesale of construction materials for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments from individuals objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary shop and wholesale of construction materials could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The proposed use was not in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone. However, there was no known programme/intention to implement the zoned use on the site. Temporary approval of the application for a period of three years would not jeopardise the long-term planning intention of the “G/IC” zone. The proposed use was not incompatible with the surrounding land uses comprising temporary shop and wholesale of construction materials and parking of vehicles. The proposed use would unlikely create significant adverse traffic, environmental, drainage and landscape impacts on the surrounding areas. Relevant government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

171. Members had no question on the application.

Deliberation Session

172. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the existing boundary fencing shall be maintained during the planning approval period;
- (e) the existing trees within the Site shall be maintained in good condition during the planning approval period;
- (f) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.7.2021;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;
- (h) in relation to (g) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (i) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire

Services or of the TPB by 8.7.2021;

- (j) in relation to (i) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (k) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (f), (g), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

173. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 50

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/379 Renewal of Planning Approval for Temporary Place of Recreation, Sports or Culture (Venue for Villager Ceremony) for a Period of 3 Years in “Village Type Development” Zone, Lots 2570 (Part), 2571 (Part), 2572 (Part), 2573 (Part), 2574 (Part), 2575 (Part), 2576 S.A (Part), 2576 S.B (Part), 2577 (Part), 2578 (Part) and 2579 RP (Part) in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long (RNTPC Paper No. A/YL-LFS/379)

Presentation and Question Sessions

174. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary place of recreation, sports or culture (venue for villager ceremony) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual raising concern on the application was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the temporary place of recreation, sports or culture (venue for villager ceremony) could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. Approval of the use on a temporary basis would not frustrate the long-term planning intention of the “Village Type Development” (“V”) zone. The applied use was generally in line with the Town Planning Board Guidelines No. 34C. The concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

175. Members had no question on the application.

Deliberation Session

176. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years, and be renewed from 27.1.2021 until 26.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicles as defined in the Road Traffic Ordinance are allowed to be

parked/stored at the Site at any time during the planning approval period;

- (b) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (c) the submission of a condition record of existing drainage facilities within 3 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 27.4.2021;
- (d) the implementation of the accepted fire services installations proposal within 6 months from the date of commencement of the renewal planning approval to the satisfaction of the Director of Fire Services or of the TPB by 27.7.2021;
- (e) if any of the above planning condition (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (f) if any of the above planning condition (c) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

177. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 51

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/380 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Green Belt” Zone, Lot 586 in D.D.129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/380)

Presentation and Question Sessions

178. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public comments from World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, Hong Kong Bird Watching Society and an individual objecting to the application were received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed development as a passive recreational use was considered not in conflict with the planning intention of the “Green Belt” (“GB”) zone. The application site (the Site) was situated in an area of rural coastal plain landscape character predominated by warehouses, vacant land, open storage yards, graves, tree clusters and some temporary structures. The proposed

development was considered not incompatible with the surrounding environment. Whilst the Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application from landscape planning perspective as vegetation clearance, hard paving and storage had been observed at the Site from 2014 to 2020, it was noted that the Site was currently covered with grass and the scale, intensity, design and layout of the proposal was considered not incompatible with the surrounding areas. The proposed use was generally in line with the Town Planning Board Guidelines No. 10. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

179. Members had no question on the application.

Deliberation Session

180. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no site formation, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) no operation between 7:30 pm and 9:00 am, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (c) no use of public announcement system, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the implementation of the accepted drainage proposal within 9 months from

the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 8.10.2021;

- (f) in relation to (e) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (i) if any of the above planning condition (a), (b), (c), (d) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (e), (g) or (h), is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

181. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Items 52, 54 to 56

Section 16 Applications

[Open Meeting]

A/YL-LFS/381 Proposed Public Utility Installation (Low Voltage Cable Laying) and Filling and Excavation of Land in “Coastal Protection Area” Zone, Government Land in D.D. 129, Fu Cho Village, Yuen Long
(RNTPC Paper No. A/YL-LFS/381, 383, 384 and 385)

A/YL-LFS/383 Proposed Public Utility Installation (Low Voltage Cable Laying) and Filling and Excavation of Land in “Coastal Protection Area” Zone, Government Land in D.D. 129, Sha Kiu Village, Yuen Long
(RNTPC Paper No. A/YL-LFS/381, 383, 384 and 385)

A/YL-LFS/384 Proposed Public Utility Installation (High Voltage Cable Laying) and Filling and Excavation of Land in “Coastal Protection Area” Zone, Government Land in D.D. 129, Sha Kiu Village, Yuen Long
(RNTPC Paper No. A/YL-LFS/381, 383, 384 and 385)

A/YL-LFS/385 Proposed Public Utility Installation (High Voltage Cable Laying) and Filling and Excavation of Land in “Coastal Protection Area” Zone, Government Land in D.D. 129, Fu Cho Village, Yuen Long
(RNTPC Paper No. A/YL-LFS/381, 383, 384 and 385)

182. The Secretary reported that the applications were submitted by CLP Power Hong Kong Limited (CLP) and Kum Shing (K.F.) Construction Company Limited (KF) was the consultant of the applicant. The following Members had declared interests on the items:

Dr Jeanne C.Y. Ng - being the Director of the CLP Research Institute of CLP;

Mr K.K. Cheung - his firm having current business dealings with CLP and KF; and

Dr Conrad T.C. Wong - having current business dealings with CLP.

183. The Committee noted that the applicant had requested deferment of consideration of the applications. The Committee also noted that Dr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting. As the interest of Dr Jeanne C.Y. Ng was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion. As Mr K.K. Cheung had no involvement in the applications, the Committee agreed that he could stay in the meeting.

184. The Secretary reported that given the situation of COVID-19, all fieldwork had been suspended during the special work arrangement and some relevant background information of the application sites was not yet available. The Planning Department (PlanD) thus recommended deferment of the consideration of the applications until such information was available.

185. After deliberation, the Committee decided to defer a decision on applications, and the applications should be submitted to the Committee for consideration as soon as practicable after the fieldwork was resumed and the required background information of the application sites could be made available.

Agenda Item 53

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/382 Proposed Filling of Land for Permitted Agricultural Use in “Green Belt” Zone, Lots 711 (Part), 713 (Part), 714 S.A (Part), 714 S.B ss.1 (Part) and 714 S.B RP (Part) in D.D. 129, Lau Fau Shan, Yuen Long
(RNTPC Paper No. A/YL-LFS/382)

Presentation and Question Sessions

186. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed filling of land for permitted agricultural use;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual objecting to the application was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed filling of land (involving about 583m²) for agricultural use was considered not incompatible with the surrounding areas. Whilst the Chief Town Planner/Urban Design and Landscape, PlanD had reservation on the application from landscape planning perspective, the proposed land filling was intended for agricultural use and small in scale and it was unlikely to generate adverse visual impact on the surrounding areas. As such, the proposed filling of land was generally in line with the Town Planning Board Guidelines No. 10. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

187. In response to a Member’s question on whether it was a case of ‘destroy first, develop later’, Ms Bonnie K.C. Lee, STP/TMYLW, said that the site was the subject of an active planning enforcement case and the alleged unauthorized development was filling of land. The site was currently vacant and covered with soil/grass according to the site photos and aerial photo.

Deliberation Session

188. A Member recalled that there were applications where aerial photos of different

time frames showing the changes in site conditions had been presented for Members' information in some previous cases. To facilitate Members' consideration of relevant applications, the Chairman said that similar information would be provided in future.

189. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 8.1.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) no part of the Site shall be filled other than soil to a depth exceeding 1m, as proposed by the applicant;
- (b) no vehicles are allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the submission of a revised drainage proposal before commencement of the land filling works on the Site to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) in relation to (c) above, the implementation of the revised drainage proposal upon completion of the land filling works on the Site to the satisfaction of the Director of Drainage Services or of the TPB; and
- (e) if any of the above planning condition (c) or (d) is not complied with before commencement or upon completion of the land filling works respectively, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

190. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

Agenda Item 57

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/621 Temporary Eating Place (Outdoor Seating Accommodation of a Restaurant) for a Period of 3 Years in “Village Type Development” Zone, Lot 43 RP (Part) in D.D. 122, Ha Mei San Tsuen, Ping Shan, Yuen Long
(RNTPC Paper No. A/YL-PS/621)

191. The Secretary reported that Mei Shing Decorate Design Ltd. (MSDD) was the consultant of the applicant. Mr K.K. Cheung had declared an interest on the item as his firm had current business dealings with MSDD. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

192. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary eating place (outdoor seating accommodation of a restaurant) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual objecting to the application was received. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Whilst the applied use was not entirely in line with the planning intention of

the “Village Type Development” (“V”) zone, the size (only about 10m²) and location of the application site (the Site) rendered it not feasible for village type development. The Site was situated in an area of village landscape character. The outside seating accommodation was considered not incompatible with its immediate surrounding uses comprising mainly village houses and car parks. The application was considered in line with the Town Planning Board Guidelines No. 15A in that the applied use would not have any adverse impacts on the surrounding areas. Relevant government departments had no objection to or no adverse comment on the application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

193. Members had no question on the application.

Deliberation Session

194. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 8.1.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation of the outside seating accommodation of a restaurant between 11:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.7.2021;
- (c) in relation to (b) above, the implementation of fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2021;
- (d) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and

shall be revoked immediately without further notice; and

- (e) if any of the above planning condition (b) or (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

195. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

[The Chairman thanked Ms Janet K.K. Cheung, Mr Steven Y.H. Siu, Mr Simon P.H. Chan, Mr Alexander W.Y. Mak and Ms Bonnie K.C. Lee, STPs/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 58

Any Other Business

(i) Section 16A Application

[Open Meeting]

A/YL-KTS/792-10 Application for Extension of Time for Compliance with Planning Conditions
Former Shek Wu School at Government Land in D.D. 106, Kam Tin, Yuen Long
(RNTPC Paper No. A/YL-KTS/792-10)

196. The Secretary reported that the application was approved with conditions by the Committee on 3.8.2018. The deadline for compliance with approval conditions (g) and (j) was 3.1.2021. An application for extension of time for compliance with approval conditions (g) and (j) up till 3.3.2021 was received by the Town Planning Board on 17.12.2020, which was 10 working days before the expiry of the specified time limit for the approval conditions (g) and (j). It was recommended not to consider the application as the deadline for compliance with conditions (g) and (j) had already expired on 3.1.2021, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked. The Committee could not consider the section 16A application as the planning

permission was no longer valid at the time of consideration.

197. After deliberation, the Committee agreed not to consider the section 16A application as the planning permission was no longer valid at the time of consideration.

(ii) Section 16A Application

[Open Meeting]

A/YL-ST/527-10 Application for Extension of Time for Compliance with Planning Conditions
Lots 56 RP, 165 RP, 166 RP and 167 S.B RP in D.D. 105 and Adjoining Government land, San Tin, Yuen Long, New Territories
(RNTPC Paper No. A/ YL-ST/527-10)

198. The Secretary reported that the application was approved with conditions by the Committee on 3.8.2018. The deadline for compliance with approval conditions (g) and (i) was 3.1.2021. An application for extension of time for compliance with approval conditions (g) and (i) up till 3.3.2021 was received by the Town Planning Board on 17.12.2020, which was 10 working days before the expiry of the specified time limit for the approval conditions (g) and (i). It was recommended not to consider the application as the deadline for compliance with conditions (g) and (i) had already expired on 3.1.2021, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked. The Committee could not consider the section 16A application as the planning permission was no longer valid at the time of consideration.

199. After deliberation, the Committee agreed not to consider the section 16A application as the planning permission was no longer valid at the time of consideration.

200. There being no other business, the meeting was closed at 5:40 p.m.